

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.
1 Valuation of Security 1 Assumption of Executory Contract or Unexpired Lease 2 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: **Henry Casanova**

Case No.:

18-22020SLM

Judge:

Meisel

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

Original

Modified/Notice Required

Date:

**September 20,
2019**

Motions Included

Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney RW

Initial Debtor: H C H C

Initial Co-Debtor H C

Part 1: Payment and Length of Plan

a. The debtor has paid to date \$8,737 to the Chapter 13 Trustee, and shall pay \$750 a month for the next 39 months of the Plan.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future Earnings
 Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property
Description:
Proposed date for completion: _____

Refinance of real property:
Description:
Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:
The 2nd mortgage is being treated outside the Plan.

Part 2: Adequate Protection

NONE

a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b.

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Law Office of Ronald I. LeVine	Admin. Previous first fee app of 2,340.75 + Pending fee application of 3,168.50	5,509.25

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
 None
 The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Mr. Cooper 1st mortgage	488 Victor Street, Saddle Brook, NJ	31,890.27	n/a	31,890.27	2283.55

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES

the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C. 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

Creditor

The second mortgage claim of Trinity Financial Services will be treated outside the Plan.

g. Secured Claims to be Paid in Full Through the Plan NONE

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$____ to be distributed *pro rata*
 Not less than ____ percent
 Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Toyota Motor Credit Corp.	387.45	Agreement,Car Lease Monthly payments: \$369.00	Assume	369

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Hack. U. Med Ctr.	488 Victor St.Saddle Brook, NJ	Judicial DJ-164691 2010	1,156.05	410,000.	1,156.05	455000.	1,156.05
New Century Financial	488 Victor St., Saddle Brook, NJ	Judicial D111668 2012	2,356.93	410,000	2,356.93	455000	2,456.93

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon Confirmation
- Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claim First mortgage arrears
- 4) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: .

Explain below why the plan is being modified:	Explain below how the plan is being modified:
To replace last filed Plan that was based on a loan mod. for second mortgagee Trinity Financial .	See Part 4(f)

Are Schedules I and J being filed simultaneously with this Modified Plan? Yes No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: September 20, 2019

/s/ Henry Casanova

Henry Casanova
Debtor

Date: _____

Joint Debtor

Date September 20, 2019


/s/ Robert Wachtel

Robert Wachtel
Attorney for the Debtor(s)

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Henry Casanova
 Debtor

Case No. 18-22020-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 42

Date Rcvd: Sep 23, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 25, 2019.

db +Henry Casanova, 488 Victor Street, Saddle Brook, NJ 07663-6121
 cr +LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, Robertson, Anschutz & Schneid, P.L.,
 6409 Congress Avenue Suite 100, Boca Raton, FL 33487-2853
 cr +Nationstar Mortgage LLC d/b/a Mr. Cooper as servic, Stern, Lavinthal & Frankenberg, LLC,
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
 cr +RAS Crane, LLC, Bankruptcy Department, 10700 Abbott's Bridge Road, Suite 170,
 Duluth, GA 30097-8461
 517590016 +Admin Recovery LLC, Attn: Raymour & Flanigan, POB 731, Mahwah, NJ 07430-0731
 517590017 +Aurora Loan Services, LLC, 80 State Street, Albany, NY 12207-2541
 517590018 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, N.A., POB 982234, El Paso, TX 79998)
 517590023 +BGS First Electronic Bank, POB 4499, Beaverton, OR 97076-4499
 517590019 +Bankcard Services, POB 84049, Columbus, GA 31908-4049
 517590020 +Barclays Bank Delaware, POB 8803, Wilmington, DE 19899-8803
 517590027 +CBNA, POB 6497, Sioux Falls, SD 57117-6497
 517590028 +CBNA The Home Depot, POB 6497, Sioux Falls, SD 57117-6497
 517590025 +Card Services, POB 13337, Philadelphia, PA 19101-3337
 517590029 +Core Recovery Inc, Attn: Radiology Center of Fair Lawn, 160 Eagle Rock Avenue #4,
 Roseland, NJ 07068-6601
 517590030 +Elizabeth Morales, 140 Erdman Place Apt 3G, Bronx, NY 10475-5322
 518238644 +Hackensack Univeristy Medical Center, Attn: Celentano Stadmauer & Walentowicz,
 1035 Route 46 East, POB 2594, Clifton, NJ 07015-2594
 517625496 +LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, RAS Crane, LLC,
 10700 Abbott's Bridge Road, Suite 170, Duluth GA 30097-8461
 517590032 +Mr. Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
 518238645 +New Century Financial Services, Attn: Pressler & Pressler, 7 Entin Road,
 Parsippany, NJ 07054-5020
 517590033 +New Jersey Healthcare Specialists, OC, Attn: Pressler & Pressler, LLP, 7 Entin Road,
 Parsippany, NJ 07054-5020
 517590034 +Phillips & Cohen Associates, LTD, Attn: Barclays Bank Delaware, 1002 Justinson Street,
 Wilmington, DE 19801-5148
 517590035 #+Riverside Pediatric Group, OC, 38 Meadowlands Parkway, Suite 205, Secaucus, NJ 07094-2925
 517590036 +Sears/Card Services, POB 13337, Philadelphia, PA 19101-3337
 517690232 +TD Retail Card Services, c/o Creditors Bankruptcy Service, P O Box 800849,
 Dallas, TX 75380-0849
 517664087 +Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013,
 Addison, Texas 75001-9013
 517590037 +Toyota Motor Credit Corp., POB 9786, Cedar Rapids, IA 52409-0004
 517590039 +U.S. Bank N.A., Attn: Stern Lavinthal & Frankenberg, LLC, 105 Eisenhower Parkway, Suite 302,
 Roseland, NJ 07068-1640
 517638187 +U.S.BANK NATIONAL ASSOCIATION, NATIONSTAR MORTGAGE,LLC D/B/A MR.COOPER,
 ATTN: BANKRUPTCY DEPT, PO BOX 619096, DALLAS, TX 75261-9096
 517590040 +Yahaira Casanova, 17 Hester Street, Little Ferry, NJ 07643-2001

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Sep 24 2019 00:04:08 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 24 2019 00:04:05 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 cr +E-mail/Text: bnc@atlascacq.com Sep 24 2019 00:03:06 ATLAS ACQUISITIONS, LLC, 294 Union St.,
 Attn: Avi Schild, Hackensack, NJ 07601-4303
 517738303 +E-mail/Text: bnc@atlascacq.com Sep 24 2019 00:03:06 Atlas Acquisitions LLC, 294 Union St.,
 Hackensack, NJ 07601-4303
 517671296 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 24 2019 00:00:26
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 517590024 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Sep 24 2019 00:00:27
 Capital One Bank, N.A., POB 30285, Salt Lake City, UT 84130-0285
 517709835 E-mail/PDF: resurgentbknotifications@resurgent.com Sep 24 2019 00:01:27
 LVNV Funding, LLC its successors and assigns as, assignee of Webster Bank, N.A.,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517590031 +E-mail/Text: bk@lendingclub.com Sep 24 2019 00:04:34 Lending Club,
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
 517704836 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 24 2019 00:00:52
 Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541
 517704818 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 24 2019 00:00:52
 Portfolio Recovery Associates, LLC, c/o NFL Extra Points, POB 41067, Norfolk VA 23541
 517704813 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Sep 24 2019 00:23:36
 Portfolio Recovery Associates, LLC, c/o Sears, POB 41067, Norfolk VA 23541
 517651383 E-mail/Text: bnc-quantum@quantum3group.com Sep 24 2019 00:03:56
 Quantum3 Group LLC as agent for, Genesis Consumer Funding LLC, PO Box 788,
 Kirkland, WA 98083-0788
 518286641 +E-mail/Text: bankruptcy@trinityfs.com Sep 24 2019 00:04:33 Trinity Financial Services, LLC,
 2618 San Miguel Drive Suite 303, Newport Beach, California 92660-5437

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 42

Date Rcvd: Sep 23, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517590021* +Barclays Bank Delaware, POB 8803, Wilmington, DE 19899-8803
517590022* +Barclays Bank Delaware, POB 8803, Wilmington, DE 19899-8803
517590026* +Card Services, POB 13337, Philadelphia, PA 19101-3337
517590038* +Toyota Motor Credit Corp., POB 9786, Cedar Rapids, IA 52409-0004

TOTALS: 0, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 25, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 20, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Trinity Financial Services, LLC
dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for U.S. Bank National Association, as Trustee for Lehman Xs Trust Mortgage Pass-Through Certificates, Series 2007-16N cmeclf@sternlav.com
Kevin Gordon McDonald on behalf of Creditor Trinity Financial Services, LLC
kmcnald@kmllawgroup.com, bkgroup@kmllawgroup.com
Laura M. Egerman on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-16N, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com
Maria Cozzini on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for U.S. Bank National Association, as Trustee for Lehman Xs Trust Mortgage Pass-Through Certificates, Series 2007-16N mcozzini@sternlav.com
Marie-Ann Greenberg magecf@mactrustee.com
Rebecca Ann Solarz on behalf of Creditor Trinity Financial Services, LLC
rsolarz@kmllawgroup.com
Robert Wachtel on behalf of Debtor Henry Casanova rwachtel@ronlevinlaw.com, irr72645@notify.bestcase.com
Ronald I. LeVine on behalf of Debtor Henry Casanova ronlevinlawfirm@gmail.com, irr72645@notify.bestcase.com
Shauna M Deluca on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-16N, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE sdeluca@rasflaw.com
Sindi Mncina on behalf of Creditor LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-16N, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE smncina@rascrane.com
Sindi Mncina on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for U.S. Bank National Association, as Trustee for Lehman Xs Trust Mortgage Pass-Through Certificates, Series 2007-16N smncina@rascrane.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 13